

11/4/77 [2]

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THE WHITE HOUSE

WASHINGTON

November 4, 1977

Jody Powell
Jim Fallows

The attached letter was returned in the President's outbox today and is forwarded to you for your information. The signed original has been given to Stripping for delivery.

Rick Hutcheson

CC: Stripping

RE: Letter to and from David McCullough
on Panama

THE PRESIDENT HAS SEEN.

cc Tody
Fallows
J

David McCullough • West Tisbury, Massachusetts 02575

**Electrostatic Copy Made
for Preservation Purposes**

October 21, 1977

Dear Mr. President:

Rosalee and I were so very pleased and honored to be able to meet you last Friday, and especially on such a propitious day in your campaign for the canal treaties. Your generous inscription on the newspaper picture of you and General Torrijos, your thoughtful remarks about my book, pleased us more than I can say, and we thank you most sincerely.

May I add also that after so many years of studying and writing about dead Presidents, I found it an enormous thrill to see and shake the hand of a live one.

During our afternoon at the White House, I had, as perhaps you know, a chance to talk at some length with Landon Butler and Joseph Aragon, and it was Mr. Butler's suggestion that a letter covering some of my thoughts on the Panama issue might be of help to you in the months to come.

Mr. President, I am concerned about a certain lack of creative fervor in what has been said in behalf of the treaties thus far. The opposition has a "cause", their response is full of emotion, even passion, while the arguments for the treaties, however intellectually solid, remain for many people largely an abstraction.

This is not to discount for a moment the powerful logic of the case for the treaties. Indeed, the more we are told of the hard practicalities involved -- political, military, operational -- the more convincing they become. They virtually speak for themselves, if presented in language of the kind the layman can understand, and when set forth for the country by a Commander-in-Chief who is himself a former naval officer and engineer their effect cannot help but be profound, perhaps even deciding.

But how much more important and useful this great national debate could become, how much better off we will all be for it, if the treaties are seen also as the expression of a high ideal, if in making this historic decision we can sense what Theodore Roosevelt called "the lift toward nobler things which marks a great and generous people."

There are, as I know you appreciate, all kinds of reasons

why suddenly we seem to care so intensely about the canal, a subject most of us have never given much thought to until lately. To say that the opposition springs from some vague or naive nostalgia for a simpler past is really to miss the point. There is a grandeur about the Panama Canal and a grandeur of a kind we like to think of as particularly American. The canal is a triumph of an era we remember fondly for its confidence and energy, youth and sense of purpose. The canal is something we made and have looked after these many years; it is "ours" in that sense, which is very different from just ownership.

It works, still. Despite time and change it remains a huge American Success, and this just now, in the aftermath of Vietnam, is of psychological import. (There is a haunting kind of irony to the realization that we went into the jungles of Vietnam to rescue a disastrous French failure, just as once we went into the jungles of Panama to rescue a disastrous French failure.)

Probably it is the aura of power surrounding the canal that has the most to do with our feelings about it. We have known since school days of the tremendous powers called forth to build it -- the power to eradicate disease, the power to literally move mountains. There is its own miraculous power to lift and transport ships from ocean to ocean. It is both the symbol and implement of sea power. So when we talk of the canal, whether we are old, young, for or against the treaties, we are talking about very elemental feelings about our own strengths, and it is this, I think, that makes the thought of giving it up or giving it away so disturbing to many people who fail to see the treaties as a positive step.

Still, by the same token, we want, all of us, a more humane and stable world.

We believe in good will, as well as strength.

We want to be builders no less than did that generation which created the canal.

So for all these reasons it is imperative that the case for the treaties be expressed in the most positive terms, and with eloquence. It is because the canal is of such critical importance, because it must be kept secure and in use, because we revere it as a monument to the human spirit, that the long outmoded Bunau-Varilla treaty has to be replaced and the nature of our presence in Panama brought up to date. Our decision must not be a grudging concession, but a far-seeing, constructive innovation. This, we should be able to say, is something we do because we know it is right. This is not merely the surest way to "SAVE OUR CANAL", it is the strong, positive act of

a still-confident, still-creative, still-purposeful people.

Our sanction of this unprecedented step can become a source of national pride and self-respect in much the way building the canal was. It is the spirit in which we act that is so very important. The way we say yes to the treaties, the words we use, can, on the one hand, influence how we stand in the eyes of all Latin America, but it can also influence how we stand in our own eyes, and that too, I know you will agree, is in the national interest."

I think of what Theodore Roosevelt might say were he alive today. (I have a small bust of him which looks down on me from the top of a file cabinet as I write this.) An ardent reader of history, he knew the world has its moods. He saw history itself as a force and the history of our own time and the changes it has brought would not be lost on him. He adored and drew inspiration from the great deeds of the past and was often saddened by the passing of an era before his eyes -- the vanishing of the great frontier days of the West, for example. But change was inevitable, he knew, and necessary. Change was growth. The true conservative, he once remarked, keeps his face to the future.

He believed down to his boots in a strong Executive, in presidential leadership, and the fact that the treaties reflect the policies and intentions of three prior administrations, in addition to your own, would carry enormous weight with him. It was he who recognized the importance of Captain Mahan's thesis well before anyone else, and so it is hard to picture him dismissing or discounting such testimony to the military value of the treaties as voiced by the Joint Chiefs.

But were he to endorse the treaties, as I am quite sure he would, it would be mainly because he would see the decision as one by which we are demonstrating the kind of power we wish to be. For Roosevelt the canal was a gateway to the very different and uncertain new world of the new twentieth century, a world in which the United States had no choice but to play a major part. "We cannot avoid meeting great issues," he said. "All that we can determine for ourselves is whether we shall meet them well or ill."

Mr. President, the Panama Canal is a vast, heroic expression of that age old desire to bridge the divide and bring people closer together. The task now, it seems to me, is to give the country the conviction that this too is what the treaties are all about.

Sincerely,

A large, stylized handwritten signature in black ink, which appears to be "Dwight D. Eisenhower". The signature is written in a cursive, flowing style with a prominent initial 'D'.

THE WHITE HOUSE

WASHINGTON

November 3, 1977

To David McCullough

Thank you for your very thoughtful and helpful letter. If we are successful in achieving ratification of the new Panama Treaties, your work will have helped make it possible.

I hope that, like President Roosevelt before me, I can meet this issue well.

Please give my best to Rosalee.

Sincerely,



David McCullough
Box 148
West Tisbury, Massachusetts 02575

*Your letter is a beautiful
expression of idealism and
legitimate pride - & strength.*



THE WHITE HOUSE
WASHINGTON

November 4, 1977

Jim McIntyre

The attached was returned in the President's outbox today and is forwarded to you for your information. The signed original has been given to Bob Linder for appropriate handling.

Rick Hutcheson

cc: Bob Linder

RE: PRESS AS HEAD OF EARTHQUAKE
HAZARDS REDUCTION AND
DISASTER IMPLEMENTATION
PLAN

THE WHITE HOUSE
WASHINGTON

4 November 1977

Mr. President:

The Earthquake Hazards Reduction Act, which you signed into law on October 7, requires that you designate an office or individual to prepare an Earthquake Hazards Reduction and Disaster Mitigation Implementation Plan.

The Office of Science and Technology has been working on the plan, in coordination with OMB.

OSTP and OMB recommend that you designate Dr. Frank Press as the individual responsible for development the plan.

Lipshutz and Schneiders concur. Watson has no comment. HUD concurs.

LAST DAY FOR ACTION: SUNDAY, NOV. 6.

Rick

THE WHITE HOUSE

WASHINGTON

To Director Frank Press

Pursuant to section 5(b)(1), Public Law 95-124, I am designating the Office of Science and Technology Policy as the responsible entity for the development of the implementation plan described in that section of the Act. As Director of the Office, you should coordinate the effort with the Office of Management and Budget, other Executive office units, the Cabinet departments and agencies, State and local officials, and the general public.

Sincerely,

A handwritten signature in dark ink, reading "Jimmy Carter". The signature is fluid and cursive, with a long horizontal stroke at the end.

The Honorable Frank Press
Director
Office of Science and
Technology Policy
Washington, D.C.

THE WHITE HOUSE
WASHINGTON

Date: October 28, 1977

MEMORANDUM

FOR ACTION:

Bob Lipshutz - *attached concurs*

FOR INFORMATION:

The Vice President
Stu Eizenstat
Jack Watson - *nc by phone*
Jim McIntyre
Frank Press
Greg Schneiders *concur*

FROM: Rick Hutcheson, Staff Secretary

SUBJECT: Frank Press - Earthquake Hazards Reduction and Disaster Mitigation Implementation Plan Coordinator.

YOUR RESPONSE MUST BE DELIVERED
TO THE STAFF SECRETARY BY:

TIME: 12:00 NOON

DAY: Monday

DATE: October 31, 1977

ACTION REQUESTED:

☒ Your comments

Other:

THIS DESIGNATION MUST BE MADE PRIOR TO NOV. 7

STAFF RESPONSE:

☐ I concur.

☐ No comment.

Please note other comments below:

Miss G. [unclear]
TH

*Bob Bolland, Sec Asst
in FDAA to Adm*

634 7906

*to WH
in detail*

*Top Dir. FDAA
OK, informal, will call back
w/ formal concurrence by 2:30 pm*

*Jack McBrown
Dir. of Preparation*

*Don Carbone, Rep
634 7865*

*OK w/ OADR, 12
Hutcheson concur*

*Additional info from Frank Press. If
coming from - Phil Smith.*

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately. (Telephone, 7052)

MEMORANDUM
OF CALL

TO:

Bill

☐ YOU WERE CALLED BY— ☐ YOU WERE VISITED BY—

Phil Smith

OF (Organization)

Frank Press's office

☐ PLEASE CALL → PHONE NO. 4931
CODE/EXT. ☐ WILL CALL AGAIN ☐ IS WAITING TO SEE YOU
☐ RETURNED YOUR CALL ☐ WISHES AN APPOINTMENT

MESSAGE

Hugh Lowery called him 12 HYD
problem — lack of consultation.

~~Don Carbone~~ / ~~Dep Adm FDA~~ —
informal OK; will call back w/
confirmation of Adm by 230 today

all OK w/ HYD
FDA

RECEIVED BY

DATE

TIME

Date: October 28, 1977

MEMORANDUM

FOR ACTION:

Bob Lipshutz

702

FOR INFORMATION:

The Vice President
Stu Eizenstat
Jack Watson
Jim McIntyre
Frank Press
Greg Schneiders

FROM: Rick Hutcheson, Staff Secretary

SUBJECT: Frank Press - Earthquake Hazards Reduction and Disaster
Mitigation Implementation Plan Coordinator.

YOUR RESPONSE MUST BE DELIVERED
TO THE STAFF SECRETARY BY:

TIME: 12:00 NOON

DAY: Monday

DATE: October 31, 1977

ACTION REQUESTED:

☒ Your comments

Other:

THIS DESIGNATION MUST BE MADE PRIOR TO NOV. 7

STAFF RESPONSE:

☒ I concur.☐ No comment.

Please note other comments below:

mm

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately. (Telephone, 7052)

THE WHITE HOUSE
WASHINGTON

/	FOR STAFFING
	FOR INFORMATION
	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND

Note: This designation must be made prior to Nov. 7

ACTION	FYI	
	/	MONDALE
		COSTANZA
#	/	EIZENSTAT
		JORDAN
/		LIPSHUTZ
		MOORE
		POWELL
3	/	WATSON
4	/	LANCE <i>TM</i>
		SCHULTZE

	ENROLLED BILL
	AGENCY REPORT
	CAB DECISION
	EXECUTIVE ORDER

Comments due to
Carp/Huron within
48 hours; due to
Staff Secretary
next day

	ARAGON
	BOURNE
	BRZEZINSKI
	BUTLER
	CARP
	H. CARTER
	CLOUGH
	FALLOWS
	FIRST LADY
	HARDEN
	HUTCHESON
	JAGODA
	KING

	KRAFT
	LINDER
	MITCHELL
	MOE
	PETERSON
	PETTIGREW
	POSTON
5	/ PRESS
	SCHLESINGER
2	/ SCHNEIDERS
	STRAUSS
	VOORDE
	WARREN

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF SCIENCE AND TECHNOLOGY POLICY
WASHINGTON, D.C. 20500

October 18, 1977

MEMORANDUM FOR: Robert Linder
Chief Executive Clerk

FROM : Philip M. Smith
Assistant Director

Phil Smith

Oct 7
Earthquake Hazards Reduction Act
P.L. 95-124, which the President signed a few days ago, requires the President to designate an office or individual to prepare an Earthquake Hazards Reduction and Disaster Mitigation Implementation Plan. The Director of the Office of Science and Technology Policy, Dr. Frank Press, will be the responsible individual for the development of this plan and, in fact, in anticipation that the bill would be passed by the Congress, the work is well underway. The planning is thoroughly coordinated with both the budget and the organization ends of OMB, and OMB is in concurrence with this designation.

Attached is some suggested language for your perusal.

Attachments

*Bob: if there are any questions
please call x 4931
Phil*

THE WHITE HOUSE

WASHINGTON

To Director Frank Press

Pursuant to section 5(b)(1), Public Law 95-124, I am designating the Office of Science and Technology Policy as the responsible entity for the development of the implementation plan described in that section of the Act. As Director of the Office, you should coordinate the effort with the Office of Management and Budget, other Executive office units, the Cabinet departments and agencies, State and local officials, and the general public.

Sincerely,

**The Honorable Frank Press
Director
Office of Science and
Technology Policy
Washington, D.C.**

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for Preservation Purposes

THE WHITE HOUSE WASHINGTON

THE WHITE HOUSE
WASHINGTON

November 1, 1977

MEMORANDUM FOR: THE PRESIDENT
FROM: JAMES F. GAMMILL, JR. *JFG*
SUBJECT: Presidential Appointment

Attached for your signature is a commission to appoint the following-named persons to be Members of the Strategy Council: (New Positions)

Milton F. Bryant, Jr., M.D., of Georgia.

Vernon E. Jordan, Jr., of New York.

Joyce H. Lowinson, M.D., of New York.

David F. Musto, M.D., of Connecticut.

Charles B. O'Keeffe, Jr., of Virginia.

Donald D. Pomerleau, of Maryland.

Harvey I. Sloane, of Kentucky.

Dr. Bryant is a practicing surgeon in Atlanta, Georgia.

Mr. Jordan has been Executive Director of the National Urban League since 1972.

Dr. Lowinson is an Associate Clinical Professor of Psychiatry at Albert Einstein College of Medicine in Bronx, New York.

Dr. Musto has been an Associate Professor of Psychiatry and History at Yale University since 1973.

Mr. O'Keeffe is an Advisor to Dr. Peter Bourne.

Mr. Pomerleau is Police Commissioner of Baltimore, Maryland.

Dr. Sloane is the Mayor of Louisville, Kentucky.

All necessary checks have been completed.

SEVEN SIGNATURES REQUESTED

What is it?
J
5/11/4/77

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

MEMORANDUM TO THE PRESIDENT

FROM: LONDON BUTLER *LB*
DATE: NOVEMBER 3, 1977
SUBJECT: STRATEGY COUNCIL

The Strategy Council is mandated by the Drug Abuse Office and Treatment Act of 1972. Peter tells me that the Council is crucial to the Administration's drug abuse prevention reorganization efforts.

In mid-September, Peter proposed to Hamilton the names of the seven public members on the Council, and Ham approved. Peter and Hamilton specifically discussed Vernon Jordan, and Hamilton felt, at that time, that the appointment of Vernon to the Council would be a good way to help patch up relations.

These seven people have completed all of their paperwork for the positions; although Peter says that they have been told that their appointments are not yet final, they have nevertheless been invited to the Monday meeting in the expectation that they will be sworn-in by the Vice President.

There has clearly been a foul-up in that the meeting was scheduled in such a way as to give you no flexibility on the recommended appointments. If, for example, you choose not to appoint Vernon, his absence at the meeting may draw attention to relations between Vernon and the White House.

Despite the foul-up, I recommend that you appoint the persons named in Jim Gammill's Memorandum. If, however, you choose to reject any of the recommendations, I suggest that the Monday meeting be rescheduled so that Peter can find a tactful way to make the changes.

☒ Appoint all seven as recommended in Gammill's Memorandum

☐ Delay the meeting and reject the following names: _____

Attached for your further information are copies of Peter's September 12 monthly report, a tentative agenda for the Monday meeting, and additional background information on the Strategy Council.

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for Preservation Purposes

THE WHITE HOUSE
WASHINGTON

September 12, 1977

MEMORANDUM TO THE PRESIDENT

FROM: PETER BOURNE *P.B.*
SUBJECT: MONTHLY DRUG REPORT #6

Response to your drug message was almost universally positive, *Predictable* although there was an unfortunate preoccupation in the press with the decriminalization of marijuana and too little attention to the balanced nature of the overall strategy.

HEROIN - The effort to control the supply of heroin coming into the country continues to be successful. The eradication effort in Mexico is still causing a steadily increasing rise in the price of what little heroin is still reaching the border.

Since the visit of the Burmese delegation here in June when we provided them with four fixed wing aircraft they have been both effective and publically enthusiastic about interdicting the major narcotic operations in their country. Two weeks ago they seized 400 lbs. of heroin at Tachilek near the Thai border. They waited three days so that they could announce the seizure at their party congress and asked that I make a public statement here congratulating them on their success. This represents a complete turnaround on the part of the Burmese who are now publically very proud of what they are doing. *Good*

The major area of continuing concern is Afghanistan and Pakistan. I have sent you a separate communication on this.

COLOMBIA - The follow up with Colombia has been most encouraging. Last week their Minister of Justice and Attorney General came here to spend two days with us to discuss ways in which we could enhance our joint efforts to control drug trafficking between our two countries. They have also made a decision to begin an experimental herbicide spraying program against the approximately 60,000 acres of marijuana growing in Colombia. This was a difficult political decision for President Lopez-Michelsen, but a very positive indication that he was willing to make it. *Good*

BORDER MANAGEMENT - We have now completed the border management study and we are recommending a merger of Immigration (Justice) and Customs (Treasury) to provide consolidated management of Federal Control over entry of people and goods at the borders.

MEMORANDUM TO THE PRESIDENT
FROM: PETER BOURNE
SUBJECT: MONTHLY DRUG REPORT #6

The basic thrust of the review is that improved effectiveness of border control will enhance all related programs (drugs, aliens, guns, revenue etc.) as opposed to the self limiting effects of increased resources targetted on a single threat. A copy of this study has been provided to OMB, and we are ready to present the finding and recommendations to you, either with them or separately. I also sent a copy to Charlie Kirbo, because of his expressed interest in this issue.

DEMAND REDUCTION - We have this week initiated a four month study of the so-called demand reduction aspects of drug abuse. This will be an interagency study involving the Veterans' Administration, and the Department of Justice, Labor, Defense, Transportation, and Health, Education and Welfare. The group will prepare its recommendations by the end of the year.

STRATEGY COUNCIL - The Strategy Council is a cabinet level committee with four public members chaired by you and mandated by law. We should have a meeting of this group, even if it is very brief. I recommend that such a meeting be held in November by which time the various departments will have completed the tasks you charged them with in the message and on which they could report.

I have made two additional policy decisions which will have long range impact:

(1) We will proceed with the implementation of a global strategic intelligence gathering system for drug crop monitoring. There has been a year long study of this capability which would involve the use of the classified satellite system.

(2) There has been longstanding pressure to make heroin available for medical purposes to treat terminal cancer. I am asking the National Cancer Institute to treat this issue objectively and totally on its medical merits separating it completely from the issue of heroin abuse.

PGB:ss

STRATEGY COUNCIL MEETING

November 7, 1977, 11:15 AM

Cabinet Room

Tentative Agenda

1. Swearing-in of new members by the Vice President.
2. Remarks by the President.
3. Overview -- Peter Bourne.
4. Presentation of Departments on progress in response to the President's drug message.

Secretary Vance
Secretary Blumenthal
Secretary Brown
Attorney General
Secretary Califano
Administrator Cleland

5. Organizational issues.

STRATEGY COUNCIL

21 U.S.C. 1161 requires the President to direct the development of a comprehensive, coordinated long-term strategy for all drug abuse prevention and drug traffic prevention functions of the Federal Government.

To develop the strategy, the President has established the Strategy Council required by law, and composed of the following members of the Cabinet and the Administrator of Veterans Affairs, as well as the Council's Executive Director, Peter G. Bourne, Director of the Office of Drug Abuse Policy:

Griffin B. Bell, U.S. Attorney General
Cyrus R. Vance, Secretary of State
Harold Brown, Secretary of Defense
Joseph A. Califano, Jr., Secretary of Health,
Education, and Welfare
W. Michael Blumenthal, Secretary of Treasury
Max Cleland, Administrator of Veterans Affairs
Charles B. O'Keefe, Jr., White House

In addition, the President will be appointing the following members from outside the Federal Government:

Milton Bryant of Georgia
Avram S. Goldstein of California
Vernon E. Jordan, Jr. of New York
Joyce H. Lowinson of New York
David F. Musto of Connecticut
Donald D. Pomerleau of Maryland
Harvey I. Sloane of Kentucky

The strategy developed by the Council is required to contain:

- (1) An analysis of the nature, character, and extent of the drug abuse problem in the United States;
- (2) A comprehensive Federal plan which shall specify the objectives of the Federal Strategy and how all available resources authorized under relevant Federal law should be used; and,
- (3) An analysis and evaluation of the major programs conducted, expenditures made, results achieved, plans developed, and problems encountered in the operation and coordination of the various Federal drug abuse prevention functions and drug traffic prevention functions.

To facilitate the preparation of the strategy, the Council is mandated by law to:

- (1) Engage in the planning necessary to achieve the objectives of a comprehensive, coordinated long term Federal strategy, including examination of the overall Federal investment to combat drug abuse;
- (2) At the request of any member, require Departments and agencies engaged in Federal drug abuse prevention functions and drug traffic prevention functions to submit such information and reports and to conduct such studies and surveys as are necessary to carry out the purposes of the National Drug Abuse Strategy; and,
- (3) Evaluate the performance and results achieved by Federal drug abuse prevention functions and drug traffic prevention functions and the prospective performance and results that might be achieved by programs and activities in addition to or in lieu of those currently being administered.

21 U.S.C. 1165 requires that the strategy shall be reviewed, revised as necessary, and promulgated as revised prior to June 1 of each year.

THE PRESIDENT HAS SEEN.

3:15 PM

THE WHITE HOUSE
WASHINGTON

November 3, 1977

MEETING WITH SENATOR SAM NUNN

Friday, November 4, 1977
3:15 p.m.
The Oval Office

From: Frank Moore *f.m.*

- I. PRESS PLAN: White House photo only
- II. PARTICIPANTS: The President
Senator Sam Nunn
Bert Lance

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for Preservation Purposes

THE WHITE HOUSE
WASHINGTON

November 2, 1977

5/11/177

*Demos
announce
J*

MEMORANDUM FOR: THE PRESIDENT
FROM: STU EIZENSTAT *Stu*
LYNN DAFT
SUBJECT: Recommendation for a Major Disaster
Declaration Due to Flooding - Arizona

In the attached letter, Secretary Harris recommends that you approve Governor Bolin's request for a major disaster declaration due to the effects of severe storms and flooding.

We concur with the Secretary's findings and recommend that you approve the request.

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for Preservation Purposes

THE WHITE HOUSE

WASHINGTON

Dear Madam Secretary:

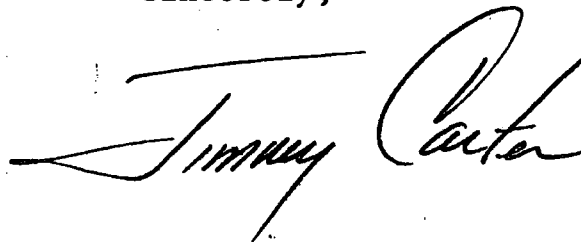
I have determined that the damage in certain areas of the State of Arizona resulting from severe storms and flooding beginning about October 6, 1977, is of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 93-288. I therefore declare that such a major disaster exists in the State of Arizona.

In order to provide Federal assistance, you are hereby authorized to allocate, from funds available for these purposes, such amounts as you find necessary for Federal disaster assistance and administrative expenses.

The time period prescribed for the implementation of Section 313(a) Priority to Certain Applications for Public Facility and Public Housing Assistance, shall be for a period not to exceed six months following the date of this declaration.

I expect regular reports on progress made in meeting the effects of this major disaster, the extent of Federal assistance already made available, and a projection of additional assistance required, if any.

Sincerely,

A handwritten signature in cursive script, reading "Jimmy Carter". The signature is written in dark ink and is positioned below the word "Sincerely,".

Honorable Patricia Roberts Harris
Secretary of Housing and
Urban Development
Washington, D. C. 20410

THE WHITE HOUSE
WASHINGTON

November 4, 1977

Bob Lipshutz

The attached was returned in
the President's outbox. It is
forwarded to you for appropriate
handling.

Rick Hutcheson

cc: Frank Moore
Bob Linder

RE: PRESENTATIONS OF BILLS BY THE
CONGRESS TO YOU DURING YOUR
ABSENCE FROM THE U.S.

THE WHITE HOUSE
WASHINGTON

11/3/77

Mr. President:

Frank Moore concurs.

The Chief Executive Clerk,
Bob Linder, also recommends
this procedure.

Rick

THE WHITE HOUSE
WASHINGTON

<input type="checkbox"/>	FOR STAFFING
<input type="checkbox"/>	FOR INFORMATION
<input checked="" type="checkbox"/>	FROM PRESIDENT'S OUTBOX
<input type="checkbox"/>	LOG IN/TO PRESIDENT TODAY
<input type="checkbox"/>	IMMEDIATE TURNAROUND

ACTION	FYI	
<input type="checkbox"/>	<input type="checkbox"/>	MONDALE
<input type="checkbox"/>	<input type="checkbox"/>	COSTANZA
<input type="checkbox"/>	<input type="checkbox"/>	EIZENSTAT
<input type="checkbox"/>	<input type="checkbox"/>	JORDAN
<input checked="" type="checkbox"/>	<input type="checkbox"/>	LIPSHUTZ
<input type="checkbox"/>	<input checked="" type="checkbox"/>	MOORE
<input type="checkbox"/>	<input type="checkbox"/>	POWELL
<input type="checkbox"/>	<input type="checkbox"/>	WATSON
<input type="checkbox"/>	<input type="checkbox"/>	McINTYRE
<input type="checkbox"/>	<input type="checkbox"/>	SCHULTZE

<input type="checkbox"/>	ENROLLED BILL
<input type="checkbox"/>	AGENCY REPORT
<input type="checkbox"/>	CAB DECISION
<input type="checkbox"/>	EXECUTIVE ORDER
Comments due to Carp/Huron within 48 hours; due to Staff Secretary next day	

<input type="checkbox"/>	ARAGON
<input type="checkbox"/>	BOURNE
<input type="checkbox"/>	BRZEZINSKI
<input type="checkbox"/>	BUTLER
<input type="checkbox"/>	CARP
<input type="checkbox"/>	H. CARTER
<input type="checkbox"/>	CLOUGH
<input type="checkbox"/>	FALLOWS
<input type="checkbox"/>	FIRST LADY
<input type="checkbox"/>	HARDEN
<input type="checkbox"/>	HUTCHESON
<input type="checkbox"/>	JAGODA
<input type="checkbox"/>	GAMMILL

<input type="checkbox"/>	KRAFT
<input checked="" type="checkbox"/>	LINDER
<input type="checkbox"/>	MITCHELL
<input type="checkbox"/>	MOE
<input type="checkbox"/>	PETERSON
<input type="checkbox"/>	PETTIGREW
<input type="checkbox"/>	POSTON
<input type="checkbox"/>	PRESS
<input type="checkbox"/>	SCHLESINGER
<input type="checkbox"/>	SCHNEIDERS
<input type="checkbox"/>	STRAUSS
<input type="checkbox"/>	VOORDE
<input type="checkbox"/>	WARREN

THE WHITE HOUSE

WASHINGTON

Date: November 1, 1977

MEMORANDUM

FOR ACTION:

Stu Eizenstat

Frank Moore (Les Francis) *Concur by phone, cable will make arrangements w/ Tip D New*

Bob Linder

FOR INFORMATION:

The Vice President

FROM: Rick Hutcheson, Staff Secretary

SUBJECT: Lipshutz memo dated 10/31/77 re Presentation of
Bills by the Congress to you During your Absence
from the U.S.

YOUR RESPONSE MUST BE DELIVERED
TO THE STAFF SECRETARY BY:

TIME: 12:00 NOON

DAY: Thursday

DATE: November 3, 1977

ACTION REQUESTED:

☒ Your comments

Other:

STAFF RESPONSE:

☐ I concur.

☐ No comment.

Please note other comments below:

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately. (Telephone, 7052)

THE WHITE HOUSE
WASHINGTON

/	FOR STAFFING
	FOR INFORMATION
	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND

ACTION
FYI

	/	MONDALE
		COSTANZA
/		EIZENSTAT
		JORDAN
		LIPSHUTZ
/		MOORE
		POWELL
		WATSON
		LANCE
		SCHULTZE

	ENROLLED BILL
	AGENCY REPORT
	CAB DECISION
	EXECUTIVE ORDER

Comments due to
Carp/Huron within
48 hours; due to
Staff Secretary
next day

	ARAGON
	BOURNE
	BRZEZINSKI
	BUTLER
	CARP
	H. CARTER
	CLOUGH
	FALLOWS
	FIRST LADY
	HARDEN
	HUTCHESON
	JAGODA
	KING

	KRAFT
/	LINDER
	MITCHELL
	MOE
	PETERSON
	PETTIGREW
	POSTON
	PRESS
	SCHLESINGER
	SCHNEIDERS
	STRAUSS
	VOORDE
	WARREN

Department of Justice
Washington, D.C. 20530

OCT 25 1977

MEMORANDUM FOR THE HONORABLE ROBERT J. LIPSHUTZ
Counsel to the President

Re: Presentation of Bills to the President
during his absence from the U. S.

In light of the President's forthcoming trip abroad I believe you should be alerted to some of the problems and procedures connected with the presentation and signing of bills during his absence, in the event the matter arises.

Article I, section 7, clause 2, of the Constitution provides that all bills and resolutions approved by both Houses of the Congress are to be presented to the President who then has ten days (Sundays excepted) within which to decide whether to approve, veto, or take no action on the bill. The ten-day period begins to run when an enrolled bill is "presented" to the President. When the President is in the country, presentation does not require delivery to the President personally; rather it is done by delivery of the bill to one of the legislative clerks on the White House staff. See Eber Bros. Wine & Liquor Corp. v. United States, 167 Ct. Cl. 665, 674, 690 (1964), certiorari denied, 380 U.S. 950.*/

This procedure obviously will not work when the President is abroad. Communication problems and preoccupation with the subject matter of his trip (cf. Eber Bros., *supra*, at 676) could then effectively curtail the period for his consideration. In the Pocket Veto case, 279 U.S. 655, 678 (1929), the Court stressed the importance of the availability to the President of the full constitutional period for consideration.

*/ For your convenience I am attaching a copy of the opinion.

The simplest way of dealing with that situation is through an agreement between the President and the congressional leadership pursuant to which no enrolled bills will be presented during his absence. There have been several such arrangements. See, e.g., Zinn, The Veto Power of the President 16; see also, Eber Bros., supra, at 702, 705, 708. We are attaching for your convenience copies of a pertinent memorandum of President Franklin D. Roosevelt dated November 10, 1943 (Attachment A); of a letter of President Lyndon B. Johnson dated November 14, 1966, and the reply of the Speaker of the House of Representatives (Attachment B), and of a letter from Attorney General Brownell to President Eisenhower dated July 5, 1955 (Attachment C).

In the unlikely event that the President is unable to obtain such a commitment from Congress, and also to cover the contingency of urgent legislation that cannot await the President's return, the President normally withdraws the legislative clerks' authority to accept enrolled bills on his behalf when he travels abroad and so advises the Congress. The bills are received by the White House staff not for "presentation" to the President but for forwarding or transmission to the President. Presentation is then effected either when the bills actually are received by him abroad or upon his return to Washington. Eber Bros., supra, at 676. While that case suggests that when the President is abroad, Congress has the power to start the running of the ten-day period by making a personal presentation abroad, we are not aware of any actual precedent to that effect.

We should also advert to the considerable time differences between Washington and some of the places which the President will visit. There is a time difference of 10-1/2 hours between Washington and New Delhi; midnight at New Delhi is 1:30 p.m. in Washington. Hence if the President signed a bill in India on Delhi time he could lose almost half a day of the constitutional period. Moreover, confusion could arise regarding the computation of the time within which to approve a bill where it is presented in one Time Zone but action on it is taken in another zone.

Normally acts are dated as of local legal time. Thus, it was held in Sunday v. Madigan, 301 F. 2d 871 (C.A. 9, 1962), that the Uniform Code of Military Justice which was to become effective on May 15, 1951, became effective in Korea on May 15 Korean time, although it was still May 14 in the United States. On the other hand, as we have pointed out above, it is important for the President to have the full constitutional period of ten days (Sundays excepted) for consideration of the action he should take. Similarly, there should be no ambiguity as to when the ten-day veto period begins and ends. Accordingly, we recommend that if the President acts while abroad, notation of the time when a bill is presented to or approved by him be made according to the date and hour calculated as of Washington time.



John M. Harmon
Assistant Attorney General
Office of Legal Counsel

Attachments

THE PRESIDENT HAS SEEN.

THE WHITE HOUSE

WASHINGTON

October 31, 1977

MEMORANFUM FOR THE PRESIDENT

FROM: Bob Lipshutz *RL*

SUBJECT: Presentation of Bills by the Congress to you During your
Absence from the United States

~~Attached~~ is a memorandum from the Department of Justice regarding the problems and proposed resolution of same, arising from the passage of legislation during the last several days before your departure from the country and during any time period when you are absent from the country.

I recommend that you authorize Frank Moore to obtain the suggested commitment from Congress which would permit you to review such legislation after your return from the trip. If you approve this course of action, I will prepare the necessary documents to implement it.

Although it would be desirable to obtain such a commitment from the leadership without too much delay. I also recommend that you not actually formalize such an arrangement until you are more certain of your travel dates.

_____ Approve

☒ Disapprove

cc: Frank Moore

not necessary
F

THE WHITE HOUSE
WASHINGTON
November 4, 1977

Stu Eizenstat
Bob Lipshutz

The attached was returned in
the President's outbox. It is
forwarded to you for appropriate
handling.

Rick Hutcheson

cc: Jim McIntyre

RE: TIMETABLE FOR CAB DECISIONS
WITH 10-DAY DEADLINES

THE WHITE HOUSE
WASHINGTON

	FOR STAFFING
	FOR INFORMATION
/	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND

ACTION	FYI	
	/	MONDALE
		COSTANZA
/		EIZENSTAT
		JORDAN
/		LIPSHUTZ
		MOORE
		POWELL
		WATSON
	/	McINTYRE
		SCHULTZE

	ENROLLED BILL
	AGENCY REPORT
	CAB DECISION
	EXECUTIVE ORDER
	Comments due to Carp/Huron within 48 hours; due to Staff Secretary next day

	ARAGON
	BOURNE
	BRZEZINSKI
	BUTLER
	CARP
	H. CARTER
	CLOUGH
	FALLOWS
	FIRST LADY
	HARDEN
	HUTCHESON
	JAGODA
	GAMMILL

	KRAFT
	LINDER
	MITCHELL
	MOE
	PETERSON
	PETTIGREW
	POSTON
	PRESS
	SCHLESINGER
	SCHNEIDERS
	STRAUSS
	VOORDE
	WARREN

THE PRESIDENT HAS SEEN.

THE WHITE HOUSE
WASHINGTON

November 2, 1977

MEMORANDUM FOR:

THE PRESIDENT

FROM:

STU EIZENSTAT
BOB LIPSHUTZ

SUBJECT:

Timetable for CAB decisions with
10-day deadlines

*In fixed of
getting them on past
day - White House should
get decision then
immediately, then
fold to me when
agency comments
come in*

*Stu
JL*

J

You have asked for a description of why the recent CAB Transatlantic Route Proceeding reached you the same day you had to make a decision.

The chronology for that decision was as follows:

Fri., Oct. 21	- CAB handed down the decision. OMB received it late on Friday. Other agencies received it Oct. 25 or 26.
Tues. - Wed. Oct. 25-26	OMB requested comments from 9 agencies. (Monday was holiday.)
Thurs. - Fri. Oct. 27-28	OMB received comments from agencies.
Sat., Oct. 29	White House received OMB memo. (President and senior staff at Camp David.)
Mon., Oct. 31	Our memo to you.

This sequence did not follow our usual timetable on 10-day cases, because there was a 3-day weekend observed by the agencies, and because most agencies received the decision from the CAB late.

We have contacted the CAB to stress our need to receive 10-day decisions the same day they are decided, and to urge them to avoid sending decisions on Friday whenever possible.

We are working with OMB to revise the timetable for 10-day decisions so that you will have more time to consider them. Because the CAB has been sending us decisions on Fridays, most agencies do not even begin their review until the third day. For these cases, we will impose tighter time deadlines than the ones that now apply.

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THE WHITE HOUSE
WASHINGTON

November 4, 1977

Mr. President:

Dan Tate phoned at 4:22 p.m. to say that it looks like Eagleton is relenting. You should still telephone him to firm him up.

If he says he has decided not to pursue, you should thank him.

THE PRESIDENT HAS SEEN.

THE WHITE HOUSE
WASHINGTON

November 4, 1977
4:10 p.m.

MEMORANDUM FOR THE PRESIDENT

FROM: FRANK MOORE

Senator Eagleton is seriously considering offering the House-passed bill as a substitute for the Finance Committee bill. If he offers that amendment it will carry.

The House bill contains several objectionable features, two of which are: (1) continuing parity between employer and employee contributions--we want to tax employers more than employees--and (2) eliminating the earned income limitation for all social security recipients. He strongly believes in parity and this is the motivating force.

The Vice President has attempted to talk Senator Eagleton out of offering the House bill as an amendment, but was not successful. I feel that he may be dissuaded through a personal call from you, and recommend you make that call to him at the Democratic Cloak Room 224-4691.

**Electrostatic Copy Made
for Preservation Purposes**

Ernest

DO NOT WRITE IN THESE SPACES
SIGNING STATEMENT ON H.R. 2817

I am today signing legislation to expand and complete the Tinicum National Environmental Center in Pennsylvania.

The bill adds to the Tinicum Center 78 acres suitable for restoration as a wetlands wildlife habitat, and increases the Center's authorization by \$7.25 million. It is the culmination of more than fifteen years of effort by local groups seeking to preserve Tinicum Marsh, ably helped by their Congressman Bob Edgar and Senators Heinz and Schweiker.

As I noted in my Environmental Message to Congress, the United States is losing wetlands at the rate of 300,000 acres per year. The pressure is greatest in urban areas, but it is precisely in these areas that preservation is most essential. With continued local support, Tinicum will become an exceptional wildlife preserve, as well as a place where the people of Philadelphia can enjoy a tranquil moment in natural surroundings.

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THE PRESIDENT HAS SEEN.

THE WHITE HOUSE

WASHINGTON

November 4, 1977
3:15 p.m.

MEMORANDUM FOR THE PRESIDENT

FROM:

FRANK MOORE *fm.*

At 3:00 the Senate rejected a motion to table the Church substitute for the Goldwater-Dole amendment. The vote was 33 yeas to 53 nays. The Church substitute was subsequently adopted by an overwhelming vote; therefore, the bill as amended now provides for a \$4,500 earnings limitation in 1978 and a \$6,000 limitation in 1979 and thereafter for recipients between the ages of 65 and 70, and no limitation for recipients who are 70 or older.

This is the lesser of two evils.

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THE PRESIDENT HAS SEEN.

THE WHITE HOUSE

WASHINGTON

November 3, 1977

MEMORANDUM TO THE PRESIDENT

FROM: JIM FALLOWS, GRIFFIN SMITH 
SUBJECT: Talking Points for Signing Ceremony
H.R. 2817 and H.R. 4297.

1. Each of these two bills is a step toward preserving and protecting the environment around Philadelphia and the mid-Atlantic coast, but the spirit and attitude they represent is important for the whole nation.

One -- the ocean dumping act amendments -- will rectify the chronic problem of pollution caused by municipal sludge-dumping along the coast from New York to Delaware. These beaches are among the most popular in the country, and our policy is to protect them, and the adjacent marine resources, by ending the dumping of municipal sewage into the ocean by 1981.

The other bill -- expanding the Tinicum National Environmental Center -- will help restore a previously-dredged section of a marshland near Philadelphia as a wildlife habitat. As you noted in your Environmental Message, wetlands serve an indispensable ecological function, and we have been losing them at the rate of some 300,000 acres per year. This bill shows that it's possible to preserve and even reclaim the wetlands through persistent effort.

2. In that connection, you should mention that the Tinicum bill is the culmination of local conservation efforts -- groups like the Philadelphia Conservationists, the William Penn Foundation, the Concerned Area Residents for Preservation of Tinicum Marsh, and the Philadelphia Garden Club. Some of these have been working for more than 15 years to preserve the Marsh. They are fortunate to have the persuasive help of Congressman Bob Edgar, who introduced the bill and is one of the strongest voices for the environment in Congress. (Representatives John Murphy, N.Y., and Edwin Forsythe, N.J. Republican, were co-sponsors.)

3. The ocean dumping act amendments are a tribute to Representative William Hughes (New Jersey) and Governor Brendan Byrne, who have been in the forefront of public concern about this wasteful and destructive practice. This bill is going to bring about a healthier marine ecology, cleaner beaches and greater reliance on recycling of wastes -- results that will benefit tens of millions of people along the East Coast. (You should acknowledge the support of Representative John Murphy, Chairman of Merchant Marine & Fisheries, and Senator Jennings Randolph, Chairman of Public Works.)

~~THE PRESIDENT HAS BEEN~~

THE WHITE HOUSE
WASHINGTON

November 4, 1977

MEMORANDUM FOR THE PRESIDENT

FROM: FRANK MOORE *F. M.*

The Danforth amendment giving social security tax breaks for state and local governments and non-profit organizations passed overwhelmingly.

At about 2:45 p.m. today there will be a vote on the Church substitute for the Goldwater-Dole amendment. The Church substitute removes the retirement test for social security recipients who are 70 or older. Under existing law there is no retirement test for recipients who are 72 or older. The cost of the Church amendment would be approximately \$100 million per year (.01% of payroll). The substitute will probably be adopted. The vote on the Goldwater-Dole amendment to eliminate the retirement test altogether will probably not occur.

Later this afternoon, Senator Carl Curtis (R-Nebr) will bring up his modified financing amendment. We beat his previous amendment by ten votes yesterday. However, today our supporters are leaving town at a faster rate than Curtis' supporters; therefore, the vote will be razor close and we could lose.

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THE PRESIDENT HAS SEEN.

THE WHITE HOUSE

WASHINGTON

November 4, 1977
3:50 p.m.

C

MEMORANDUM FOR THE PRESIDENT

FROM:

FRANK MOORE

F.M.

The Senate just voted to table the modified Curtis amendment by a vote of 41 yeas to 41 nays with the Vice President's vote breaking the tie. Our supporters continue to leave town so Curtis may try again. Senator Nunn, who was meeting with you at the time, missed the vote, and he was expected to vote against us.

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THE WHITE HOUSE
WASHINGTON

November 4, 1977

Frank Moore

The attached letter was returned in the President's outbox today and is given to you for forwarding.

Rick Hutcheson

RE: LETTER TO SEN. METZENBAUM ON LYN COLEMAN.
AS GENERAL COUNSEL OF DOE

cc: Hamilton Jordan

THE WHITE HOUSE
WASHINGTON

November 4, 1977

MEMORANDUM FOR THE PRESIDENT

FROM: HAMILTON JORDAN *HJ.*
SUBJECT: Reply to Senator Metzenbaum

As you requested, a reply has been prepared to Senator Metzenbaum's letter. It has been coordinated with Jim Schlesinger's office.

Attachment

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Susan
To: Senator Howard
Metzenbaum
F
done

THE WHITE HOUSE

WASHINGTON

To Senator Howard Metzenbaum

Thank you for your letter of October 17 regarding the nomination of Lynn Coleman as General Counsel in the Department of Energy. I know we share the desire to ensure that those holding responsible positions in the Department are the most capable people who can be selected to deal with our energy problems. I am confident that Lynn Coleman will meet that standard.

Mr. Coleman's experience is that of a lawyer in private practice who has represented some energy-related clients but who, in the process, has gained the type of knowledge about industry problems that will be necessary to deal with the complex legal problems the Department will face. However, I am personally satisfied that his representation of these interests has increased his knowledge without in any way decreasing his objectivity.

Finally, I am confident that Mr. Coleman will abide by the highest standards of conduct in this sensitive position. Through a letter from my Counsel, Robert Lipshutz, dated September 30, 1977, we have established standards to formalize our mutual commitment to avoid potential conflicts of interest. This letter was incorporated in Mr. Coleman's submission to the Senate Energy and Natural Resources Committee, and I am sure that you will be examining this letter as a member of that committee during the confirmation process. I believe that this agreement eliminates the potential for conflicts of interest as General Counsel of the Department.

I appreciate your concern on this matter, and look forward to working with you on energy-related matters in the weeks and months ahead.

Sincerely,

A handwritten signature in cursive script, reading "Jimmy Carter". The signature is written in dark ink and is positioned below the word "Sincerely,".

The Honorable Howard M. Metzenbaum
United States Senate
Washington, D.C. 20510



United States Senate
Washington, D. C.

*Ham
prepare
for me -
J
reply*

HOWARD M. METZENBAUM
OHIO

October 17, 1977

The President
The White House
Washington, D. C.

DT
CONGRESSIONAL
LIAISON

OCT 18 1977

bcc: Schles.

Dear Mr. President:

I address this letter to you directly to alert you to the fact that I will oppose your appointment of Mr. Lyn Coleman to the position of General Counsel of the Department of Energy. I do not enjoy taking a position in opposition to your appointee, but Mr. Coleman's past associations give me no other alternative.

Mr. Coleman is presently a partner in Vinson and Elkins, a 240 man Houston, Texas, law firm headed by John Connally. Vinson and Elkins primarily represents companies in the oil and gas industry. These companies include some of the largest oil and natural gas producers and pipelines in the country. While I am unaware of any evidence that in any way impugns Mr. Coleman's integrity, I believe that his close associations with the oil and gas industry raise serious questions regarding his ability to perform the most important duties of General Counsel in a manner that is consistent with the public interest.

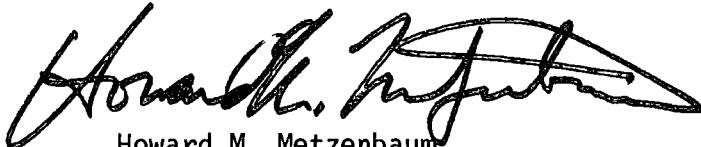
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The President
October 17, 1977
Page 2

I strongly support your courageous statements regarding the need for Congress to enact energy legislation that is in the consumer's interest rather than the oil industry's interest. In my opinion, your strong language concerning the oil and gas industry will make it that much more difficult for the public to reconcile the appointment of an oil and gas company attorney to this sensitive post.

I enclose herewith a copy of a New York Times article printed several weeks ago which addresses this problem. Before his name is actually submitted to the Energy Committee for confirmation, I would hope that you would consider withdrawing it.

Very respectfully yours,

A handwritten signature in black ink, appearing to read "Howard M. Metzenbaum", with a large, sweeping flourish at the end.

Howard M. Metzenbaum
United States Senator

HMM:bdw
Enclosure

NY Times

Sept. 6 - Pg. 25

TEXAS LAWYER HINTED FOR KEY ENERGY POST

Partner in a Houston Firm With
Strong Links to Oil Industry
Reported Choice for Counsel

Special to The New York Times

WASHINGTON, Sept. 5—A member of the law firm of Vinson & Elkins, which has strong links to the oil industry, is the leading contender for the post of general counsel in the newly created Department of Energy, according to reliable sources.

Although the nomination still awaits President Carter's approval, Administration sources say the key post is scheduled to be filled by Lynn R. Coleman, 38 years old, a partner in the powerful Houston-based law firm, to which former Treasury Secretary John B. Connally belongs. Mr. Coleman has been a member of its Washington office since 1973.

Both Mr. Coleman and his firm represent influential oil and gas interests before Federal agencies and on Capitol Hill.

A White House spokesman confirmed yesterday that Mr. Coleman was being considered but said that no final decision has been made. Mr. Coleman would not comment on reports that he was the leading candidate for the post.

Mr. Coleman said that if appointed, he would sever all ties with his firm. He also said in a telephone interview that he saw no conflict of interest in his previous lobbying activities on behalf of such clients as the Houston Natural Gas Company.

Most of his practice, he said, has not been connected with major oil producers. He has, however, represented such companies as Tricentrol, a Canadian-based oil and gas producer, the Belco Petroleum Corporation and Quintana Petroleum, a large independent oil producer and refiner. Before 1972, he occasionally represented the Texas Eastern and Transmission Corporation, an energy conglomerate with pipeline, refining and retail sales divisions in matters before the Federal Power Commission.

Lobbied for Coal Bill

In addition, Mr. Coleman has lobbied for coal slurry pipeline legislation on behalf of the Houston Natural Gas Company. The bill, which would pave the way for construction of pipelines to transport a mixture of coal and water from the Western states to Texas, is strongly opposed by a coalition of environmental groups, Western states and railroad companies.

Since 1973, Mr. Coleman has represented the Commonwealth of Puerto Rico through a maze of regulatory problems created by its physical separation from the continental United States. He said that although the firm no longer receives an annual retainer from the Puerto Rican Government, he still handles some legal work for it.

The White House has been considering candidates for the post of general counsel for several months. At the moment, the three major agencies that will form the Department of Energy—the Federal Energy Administration, the Energy Resource Development Administration and the Federal Power Commission—are each served by acting general counsels.

Charles B. Chase, chairman of the F.P.C., which will soon become the Federal Energy Regulatory Commission, said today that he had selected Robert R. Nordhaus, assistant administrator at the F.E.A., as the general counsel for the commission.

White House Aides Uneasy

According to Administration sources, there has been considerable uneasiness in some White House quarters over the possibility of Mr. Coleman's appointment. Given Mr. Carter's pledge to end the revolving door between Government regulatory agencies and the businesses they regulate, some White House aides are apparently concerned that Mr. Coleman's nomination might be viewed as a violation of the spirit of the pledge.

For several years, there has been steady traffic between Washington energy agencies and Houston law firms. Two F.E.A. assistant administrators, as well as the two highest officials in the agency's general counsel's office, have recently become associated with Houston firms upon their departure from the Federal Government.

Nevertheless, Mr. Coleman was recently seen at the energy administration offices, meeting top officials, being briefed on the agency's most pressing issues and "just getting to know his way around," one agency official said.

Mr. Coleman's law firm is also involved in energy matters. The firm has on occasions represented major oil companies, such as the Union Oil Company of California and Continental.

Mr. Coleman said that, if appointed, he would disqualify himself from cases in which either he had represented or his firm represented one of the interested parties. However, he added that such occasions would not arise frequently because most of the law work has involved matters before the power commission, which under the new Department of Energy will be an independent body, the Federal Energy Regulatory Commission.

Under the new structure, however, the Secretary of Energy can intervene in the commission's proceedings. The general counsel of the department, therefore, could be involved in influencing the outcome of its proceedings.

Mr. Coleman, who is recuperating from a broken leg resulting from a fall from a skate board, said: "Just because you have represented someone, that doesn't mean that you as an individual agree or disagree with them. I don't feel emotionally identified with any ideology."

THE WHITE HOUSE

WASHINGTON

To Howard Metzenbaum

Thank you for your letter of October 17 regarding the nomination of Lynn Coleman as General Counsel in the Department of Energy. I know we share the desire to ensure that those holding responsible positions in the Department are the most capable people who can be selected to deal with our energy problems. I am confident that Lynn Coleman will meet that standard.

Mr. Coleman's qualifications as a lawyer, in my view, are strong. ~~[In his twelve years of private practice since clerking on the Fifth U.S. Circuit Court of Appeals, he has developed expertise in complex legal situations, including considerable litigation experience. He has represented clients before the Federal Energy Administration and the Federal Power Commission, and in the process has gained experience in a variety of energy policy-related questions. While some of his clients have been industry clients Mr. Coleman has also undertaken activities such as representing the Commonwealth of Puerto Rico in drafting enabling legislation establishing a public corporation with power to enter agreements with oil companies or to actually conduct drilling operations itself.]~~

Mr. Coleman's experience is that of a lawyer in private practice who has represented some energy-related clients but who, in the process, has gained the type of knowledge about industry problems that will be necessary to deal with the complex legal problems the Department will face. However, I am personally satisfied that his representation of these interests has increased his knowledge without in any way decreasing his objectivity.

To Howard Metzenbaum

-2

Finally, I am confident that Mr. Coleman will abide by the highest standards of conduct in this sensitive position. Through a letter from my Counsel, Robert Lipshutz, dated September 30, 1977, we have established standards to formalize our mutual commitment to avoid potential conflicts of interest. This letter was incorporated in Mr. Coleman's submission to the Senate Energy and Natural Resources Committee, and I am sure that you will be examining this letter as a member of that committee during the confirmation process. I believe that this agreement eliminates the potential for conflicts of interest as General Counsel of the Department.

I appreciate your concern on this matter, and look forward to working with you on energy-related matters in the weeks and months ahead.

Sincerely,

The Honorable Howard M. Metzenbaum
United States Senate
Washington, D.C. 20510

OFFICIAL USE ONLY

STATEMENT ON THE SIGNING OF THE AMENDMENTS TO THE MARINE PROTECTION, RESEARCH AND SANCTUARIES ACT OF 1972

Today I am signing into law H. R. 4297, amendments to the Marine Protection, Research and Sanctuaries Act.

In this bill, Congress has put into law the policy of this Administration to end the dumping of municipal sewage sludge into the ocean by December 31, 1981. Although progress has been made under existing law to reduce the wastes dumped into the oceans, the dumping of sewage sludge has remained a significant problem in areas like the Atlantic Ocean off the coasts of New York, New Jersey, Maryland and Delaware.

This legislation demonstrates the commitment of the Congress and the Administration to protect and preserve one of mankind's most precious resources -- our oceans.

I want to compliment Chairman John Murphy of the House Merchant Marine Committee; Chairman Jennings Randolph of the Senate Public Works Committee; and Representative Bill Hughes of New Jersey for the fine job they did on this bill. I also want to compliment Governor Byrne for his strong support.

* * * *

SUMMARY OF CONGRESSIONAL MAIL TO THE PRESIDENT

DATE: November 4, 1977

THE PRESIDENT HAS SEEN.

PAGE: -1-

<u>FROM</u>	<u>SUBJECT</u>	<u>DISPOSITION</u>	<u>COMMENTS</u>
Sens. Harrison Williams, Clifford Case; Reps. Rodino, Thompson, Minish, Rinaldo, Patten, Florio, Howard, Hollenbeck, Meyner, LeFante, Forsythe, Maguire, Hughes, Roe	Urge you to reaffirm that there has been no change in U.S. commitment to Israel.	Acknowledge by FM, forward to NSC	C
Rep. Mary Rose Oakar	Wants you to reconsider returning St. Stephen's Crown to Hungary.	Quick acknowledgement by FM; forward to NSC	
Rep. Paul Trible	Concerned about plans of G.E. to export jet engines to Soviet Union.	Acknowledge by FM, forward to NSC	
Rep. Jim Weaver	Strongly supports your peace-seeking efforts in the Middle East; has told Jewish colleagues that you are articulating what Israel would if leaders were politically able to.	Acknowledge by you	
Rep. Ray Roberts	Takes offense at your statement that your son was "scorned" as a Vietnam Vet, unlike vets of other wars; goes on to discuss veterans' benefits.	Acknowledge by you, draft by Military Office	
Reps. Weiss, Delaney, Addabbo, Marks, Austin Murphy, Rangel, Zeferetti, Corrada, P. Burton, McHugh, Conyers, Ottinger, Walgren, Brodhead, Chisholm, Solarz, Badillo, Hawkins, Dellums, P. Mitchell, Kostmayer, Holtzman, Harrington, Bingham, J. Murphy, Mikulski, Koch	Urge your support for extension of Federal Supplemental Benefits program.	Eizenstat	

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SUMMARY OF CONGRESSIONAL MAIL TO THE PRESIDENT

DATE: November 4, 1977PAGE: -2-

<u>FROM</u>	<u>SUBJECT</u>	<u>DISPOSITION</u>	<u>COMMENTS</u>
Rep. Mark Hannaford	Forwards suggestions of citizens on welfare reform, as expressed during a town meeting.	Acknowledge by FM, forward to Eizenstat	
Sen. John McClellan	Urges your support for bill to provide for mandatory inspection of rabbit meat.	Acknowledge by FM, forward to Eizenstat	
Rep. Bill Brodhead	Forwards constituent letter regarding Office of Federal Contract Compliance.	Acknowledge by FM, forward to Eizenstat	
Sen. Dick Clark	Urges feed grain set-aside program.	Acknowledge by FM, forward to Eizenstat	
Rep. Trent Lott	Forwards constituent letter regarding Agriculture meat products regulations.	Acknowledge by FM, forward to Agriculture	
Rep. Edward Madigan	Protests closing of Springfield, Ill. HUD regional office under HUD's reorganization plan.	Acknowledge by FM, forward to OMB	
Rep. Edward Roybal	Protests reduction in FmHA employees.	Acknowledge by FM, forward to OMB	
Rep. Parren Mitchell	Protests planned reorganization of Office of Minority Business Enterprise.	Acknowledge by FM, forward to Eizenstat	
Rep. Charles Carney	Forwards copy of N.Y. <u>Times</u> editorial on steel imports.	Strauss	
Rep. Glenn Anderson	Pleased to be at dinner for you in So. California; has heard many good comments about the trip.	File	
Sen. Daniel Inouye	Forwards resume of Terence A. Rogers who wants to work with Peter Bourne.	Dan Tate	

SUMMARY OF CONGRESSIONAL MAIL TO THE PRESIDENT

DATE: November 4, 1977PAGE: -3-

<u>FROM</u>	<u>SUBJECT</u>	<u>DISPOSITION</u>	<u>COMMENTS</u>
Sens. Domenici, Schmitt	Forward list of members of New Mexico's Judicial Selection Commission.	Acknowledge by FM, forward to Justice	
Sen. Wendell Ford	Recommends John Wells for Federal Co-Chairman of Appalachian Regional Cmsn.	Acknowledge by FM, forward to WH Personnel	
Sen. John Sparkman	Recommends Calvin James for President's Council on Physical Fitness.	"	
Sen. William Hathaway	Recommends Samuel Halperin for Agency for International Communication.	"	
Rep. Phil Sharp	Recommends Frederick L. Brumbaugh for Metric Board.	"	
Rep. Robert Drinan	Recommends Ruth A. Brandwein for National Cmsn. on Neighborhoods.	"	
Rep. Ted Risenhoover	Recommends Dr. Francis Tuttle for Advisory Committee for Research in Vocational Education.	"	
Rep. William Ketchum	Recommends Calvin C. Garing for panel on military compensation.	"	
Rep. John Paul Hammer-schmidt	Recommends John D. Naill, Jr. for Fed. Farm Credit Board.	"	
Sen. Walter Huddleston	Hopes you will worship at Cane Run Baptist Church in Lexington when you visit Kentucky in 1978.	Fran Voorde	
Sen. Robert Morgan	Hopes someone from Administration can attend N. C. Rehabilitation Assn. conference November 9-10.	"	

SUMMARY OF CONGRESSIONAL MAIL TO THE PRESIDENT

DATE: November 4, 1977

PAGE: -4-

<u>FROM</u>	<u>SUBJECT</u>	<u>DISPOSITION</u>	<u>COMMENTS</u>
Rep. John Paul Hammer- schmidt	Endorses invitation to Arkansas Council of Engineers banquet.	Fran Voorde	
Rep. Charles Grassley	Endorses constituent request for declara- tion of "National Key Club Week."	Bill Nichols	
Chmn. Bizz Johnson	Anniversary greeting request.	Bob Anderson	
Sen. William Scott	Constituent military case.	Military Office	
Rep. David Treen	Copy of letter to constituent re sugar price supports.	File	
Rep. Phil Sharp	Constituent letter re utility bills.	File	
Sen. Birch Bayh	Forwards petitions from Lafayette Committee for Human Rights in the Soviet Union re case of Irina Astakhova McClellan.	Acknowledge by FM, forward to State	

THE PRESIDENT HAS SEEN.

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THE WHITE HOUSE
WASHINGTON

Week Ending 11/4/77

C

MEMORANDUM FOR THE PRESIDENT

FROM:

HUGH CARTER *HC*

SUBJECT:

Weekly Mail Report (Per Your Request)

Below are statistics on Presidential and First Family:

<u>INCOMING</u>	<u>WEEK ENDING 10/28</u>	<u>WEEK ENDING 11/4</u>
Presidential	33,480	33,495
First Lady	1,225	1,300
Amy	860	540
<u>Other First Family</u>	<u>40</u>	<u>65</u>
TOTAL	35,605	35,400

BACKLOG

Presidential	5,460	4,735
First Lady	110	115
Amy	0	0
<u>Other</u>	<u>0</u>	<u>0</u>
TOTAL	5,570	4,850

DISTRIBUTION OF PRESIDENTIAL MAIL ANALYZED

Agency Referrals	45%	44%
WH Correspondence	21%	22%
Direct File	17%	15%
White House Staff	8%	11%
<u>Other</u>	<u>9%</u>	<u>8%</u>
TOTAL	100%	100%

NOT INCLUDED ABOVE

Form Letters and Post Cards	9,695	11,345
Mail Addressed to WH Staff	22,502	16,862

cc: Senior Staff

NOTE TO MAJOR ISSUE TALLY

Week Ending 11/4/77

(1) SUPPORT FOR SANCTIONS AGAINST SOUTH AFRICA (74% Con)

The majority of writers who are opposed to any sanctions want the President to focus all of his efforts on the U.S. first, before he starts "interfering" in South Africa.

The "Pro" mail (25%) is from people who are urging President Carter to stand firm on his "commitment to the blacks of South Africa."

MAJOR ISSUES IN
CURRENT PRESIDENTIAL ADULT MAIL
Week Ending 11/4/77

ISSUES	PRO	CON	COMMENT ONLY	NUMBER OF LETTERS
Support for Palestine Liberation Organization Representation at Peace Talks	3%	97%		1,870
Support for Tuition Relief Tax Credit S. 834, H.R. 3403	97%	3%		1,589
Support for Panama Canal Treaties	11%	87%	2%	612
Support for Tougher Restrictions on Steel Imports	92%	8%		539
Support for Separate Cabinet Level Department of Education	97%	3%		510
Support for Increase in Social Security Taxes	5%	94%	1%	502
Support for President's Statements Re: Sanction Against South Africa During 10/27 Press Conference (1)	25%	74%	1%	392
Support for U.S. Aid to Alleviate World Hunger	97%	3%		346
President's Position Re: Federal Funds for Abortion	34%	66%		247
Support for Administration's Energy Act, Including Continued Regulation of Natural Gas	59%	13%	28%	241
Support for Extension of Deadline for State Action on ERA	5%	95%		241

(See Note Attached)

THE WHITE HOUSE
WASHINGTON

November 4, 1977

Frank Moore

The attached was returned in
the President's outbox. It is
forwarded to you for your
information.

Rick Hutcheson

RE: SEN. MORGAN - SOCIAL SECURITY
BILL AND BYRD

THE WHITE HOUSE
WASHINGTON

	FOR STAFFING
	FOR INFORMATION
✓	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND

ACTION
FYI

	MONDALE
	COSTANZA
	EIZENSTAT
	JORDAN
	LIPSHUTZ
✓	MOORE
	POWELL
	WATSON
	McINTYRE
	SCHULTZE

	ENROLLED BILL
	AGENCY REPORT
	CAB DECISION
	EXECUTIVE ORDER
	Comments due to Carp/Huron within 48 hours; due to Staff Secretary next day

	ARAGON
	BOURNE
	BRZEZINSKI
	BUTLER
	CARP
	H. CARTER
	CLOUGH
	FALLOWS
	FIRST LADY
	HARDEN
	HUTCHESON
	JAGODA
	GAMMILL

	KRAFT
	LINDER
	MITCHELL
	MOE
	PETERSON
	PETTIGREW
	POSTON
	PRESS
	SCHLESINGER
	SCHNEIDERS
	STRAUSS
	VOORDE
	WARREN

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THE WHITE HOUSE
WASHINGTON

Frank -
Bob may help us
on retirement earnings -
Does not wish
to delay Soc Sec
until next yr. Is angry
E Byrd TC

Mr. President:

Senator Morgan has announced that he does not want the Senate to approve the Social Security bill this week or next. He is mad at Bob Byrd for the Leader's recent parliamentary tactics in pushing legislation through the Senate. Cranston, on behalf of Byrd, asked Dan Tate to speak with Morgan. We believe that the only way that Morgan can relent and save face is in response to a personal call from you.

Morgan has not voted with us on any of the big issues in the Social Security bill and we carry him on our vote count as being in favor of eliminating the "retirement test" or earned income limitation.

I recommend that you call Morgan to seek his support on the retirement test vote and, if he does not mention his intention to hold up the bill in the course of the conversation, you might say you had heard of his concerns but hoped he could help you get the bill through this year. Senator Nelson mentioned yesterday that if the bill is delayed until next March, the additional cost would be \$1.2 billion and delay until Jan. 79 would cost an additional \$3.0 billion.

Frank Moore

THE WHITE HOUSE

WASHINGTON

November 4, 1977

The Vice President
Stu Eizenstat
Hamilton Jordan
Frank Moore
Jack Watson
Jim McIntyre

The attached will be forwarded to the President. If you wish to comment, please call by 12:00 Noon, tomorrow, November 5.

Rick Hutcheson

RE: EFFECT OF ELEMENTARY AND SECONDARY
EDUCATION LEGISLATION REAUTHORIZATION
ON FUNDING FOR SOUTHERN STATES



THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE
WASHINGTON, D. C. 20201

November 4, 1977

C

MEMORANDUM FOR THE PRESIDENT

FROM: Joe Califano *Joe*

SUBJECT: Effect of Elementary and Secondary Education
Legislation Reauthorization on Funding for
Southern States

Departmental staff is currently reviewing all elementary and secondary education legislation expiring in Fiscal Year 1979. This review will lead to initial recommendations which I will be bringing to you before the end of the year.

In the course of staff review of the Emergency School Aid Act (ESAA), a number of issues regarding the present legislation were identified, including the state apportionment feature. In Fiscal Year 1978, \$187 million of the \$275.5 million ESAA appropriation will be allocated to states on the basis of their minority enrollment, rather than the extent of desegregation activity. School districts and non-profit organizations within each state then compete for funds until their state allotment is expended. As a result, school district's chances for ESAA funding are dependent, at least in part, on the state in which they are located, rather than on their level of need.

A second ESAA issue being studied by the staff is the indefinite period of eligibility enjoyed by districts once they have become eligible for ESAA funding. Over 80% of our current grantees have been receiving funds for five years or more. Some southern districts have been receiving "emergency" funding from ESAA for desegregation purposes since 1970 and from Title IV of the Civil Rights Act for technical assistance and training since 1965. The second and even third generation desegregation problems being faced by such districts are serious, but this funding pattern inevitably limits the availability of funds to newly desegregating districts, many of whom face more urgent problems.

It should be emphasized that these problems are still under consideration lower down in the Department. I have not been briefed in enough depth to know whether I should

The President
Page 2

recommend any changes to you. These issues will have to be considered in the context of our recommendations for the entire elementary and secondary education legislative package.

I understand that the ESAA Region IV grantees Association met Wednesday, November 2nd with the Departmental and Congressional staff. This association was called together by the Reverend James Hooten, Executive Director of the Savannah-Chatham County Georgia Human Relations Commission, one of the non-profit organizations funded by ESAA. Although their concerns focused on ESAA, an underlying theme was their apprehension that Administration legislative proposals, particularly the Urban Initiative, might have the effect of shifting Federal education monies away from the South. This apprehension is premature. I will nonetheless be sensitive to it as I begin in-depth review of possible recommendations to you.

THE WHITE HOUSE
WASHINGTON

November 4, 1977

Jim Gammill

The attached was returned in
the President's outbox. It is
forwarded to you for appropriate
handling.

Rick Hutcheson

cc: Hamilton Jordan

RE: FOLLOW-UP ON AFFIRMATIVE ACTION
IN NON-CAREER HIRING MEMORANDUM

THE WHITE HOUSE
WASHINGTON

	FOR STAFFING
	FOR INFORMATION
X	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND

ACTION	FYI	
		MONDALE
		COSTANZA
		EIZENSTAT
X		JORDAN
		LIPSHUTZ
		MOORE
		POWELL
		WATSON
		McINTYRE
		SCHULTZE

	ENROLLED BILL
	AGENCY REPORT
	CAB DECISION
	EXECUTIVE ORDER
	Comments due to Carp/Huron within 48 hours; due to Staff Secretary next day

	ARAGON
	BOURNE
	BRZEZINSKI
	BUTLER
	CARP
	H. CARTER
	CLOUGH
	FALLOWS
	FIRST LADY
	HARDEN
	HUTCHESON
	JAGODA
X	GAMMILL

	KRAFT
	LINDER
	MITCHELL
	MOE
	PETERSON
	PETTIGREW
	POSTON
	PRESS
	SCHLESINGER
	SCHNEIDERS
	STRAUSS
	VOORDE
	WARREN

THE PRESIDENT HAS SEEN.

THE WHITE HOUSE

WASHINGTON

November 3, 1977

MEMORANDUM FOR THE PRESIDENT

FROM

JAMES F. GAMMILL, JR. *JFG*

SUBJECT

Follow-up on the Affirmative Action in
Non-Career Hiring Memorandum

In response to your note, I have attached some examples of how the tables shown in Summary I should be read.

The percentages in tables I-A and I-B should not add up to 100%. The rows in tables I-C and I-D should approximately add up to 100%. The deviation from 100% in some of these rows is due to (a) the fact that no information on salary was available for some (less than 1%) who reported sex and ethnic background, and (b) the effects of rounding off the percentages.

The raw data upon which Summary I is based is shown in Summary I. The column of percentages should not add up to 100%.

All information was collected under a promise of confidentiality with respect to the names of the participants. The tables in Summary I were constructed to show definite affirmative action trends in non-career hiring without including information that would aid in the identification of individuals.

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*We won't
issue it. In the
future, give me
tables which are
easier to understand.*

KEY FIGURES USED IN MEMORANDUM ON AFFIRMATIVE ACTION

1133 people reported information on sex:

413 identified themselves as women

720 identified themselves as men

1133

These 1133 people break down along the following salary levels:

165 are in the executive levels (Level I through V)

283 are in the supergrade GS levels (GS 16-18)

336 are in the senior level GS levels (GS 13-15)

342 are in the mid-level and below salary range

7 do not have salary information

1133

The 413 women break down along the following salary lines:

24 are in the executive level salary range

35 are in the supergrade level salary range

86 are in the senior level salary range

266 are in the mid-level and below salary range

2 do not have salary information

413

KEY FIGURES USED IN MEMORANDUM ON AFFIRMATIVE ACTION

922 people reported information on ethnicity:

116 identified themselves as Black

26 identified themselves as Hispanic

These 922 people break down along the following salary levels:

150 are in the executive levels (Level I through V)

231 are in the supergrade GS levels (GS 16-18)

284 are in the senior level GS levels (GS 13-15)

257 are in the mid-level and below salary range

922

The 116 who identified themselves as Black break down along the following salary levels:

13 are in the executive levels (Level I through V)

19 are in the supergrade GS levels (GS 16-18)

41 are in the senior level GS levels (GS 13-15)

42 are in the mid-level and below salary range

1 does not have salary information

116

The 26 who identified themselves as Hispanic break down along the following salary levels:

8 are in the executive levels (Level I through V)

5 are in the supergrade GS levels (GS 16-18)

10 are in the senior level GS levels (GS 13-15)

3 are in the mid-level and below salary range

26

TABLE I-A: Percentage of Women Within Particular Salary Ranges

Examples

Row 1: "Total of all Reporting Information on Sex: 36.4%"

--Out of the 1133 people reporting, 413 (or 36.4%) are women.

Row 2: "(Salary) More than \$47,500: 14.5%"

--Out of the 165 people who (a) reported sex information and (b) earn more than \$47,500, 24 (or 14.5%) are women.

TABLE I-B: Percentages of Blacks and Hispanics Within Particular Salary Ranges

Example

Row 3: "(Salary) \$39,600-\$47,500"

Column 1: "% Black: 8.7"

Column 2: "% Hispanic: 2.2"

--Out of the 231 people who (a) reported ethnicity information and (b) earn between \$39,600 and \$47,500, 19 (or 8.7%) are Black and 5 (or 2.2%) are Hispanic.

Table I-C and table I-D use the same raw data as table I-A and table I-B; they reverse the independent variables with the dependent variables.

TABLE I-C: Distribution of Women Appointees By Salary Ranges

Example

Column 1: "(Salary) More than \$47,500"

Row 1:	"Total:	14.6%"
Row 2:	"Women:	5.8%"

--Out of the 1133 people reporting sex information, 165 (or 14.6%) earn more than \$47,500.

--Out of the 413 women, 24 (or 5.8%) earn more than \$47,500.

TABLE I-D: Distribution of Black and Hispanic Appointees By Salary Ranges

Example

Column 1: "(Salary) More than \$47,500"

Row 1:	"Total:	16.3%"
Row 2:	"Blacks:	11.2%"
Row 3:	"Hispanics:	30.8%"

--Out of the 922 people reporting ethnicity information, 150 (or 16.3%) earn more than \$47,500.

--Out of the 116 Blacks, 13 (or 11.2%) earn more than \$47,500.

--Out of the 26 Hispanics, 8 (or 30.8%) earn more than \$47,500.

France - ^{11/4/77} India - Poland
French Nigeria
THE WHITE HOUSE
WASHINGTON

Soviet Jews

SC - Syria

Lt to B

S Africa

→ Crown. Cong. Mary Rose Oskar

Sadat 1st

Trip

B expedite = Geneva

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THE WHITE HOUSE
WASHINGTON

MEMORANDUM

November 2, 1977

TO: The President
FROM: Jody Powell *JJP*
SUBJECT: Bild Am Sonntag Presentation

Four representatives of the German publication Bild Am Sonntag will meet you at 2:00 pm, Friday, November 4, to present their "Man of the Year" award. The Oval Office meeting will include a brief (10 minute) interview.

The visitors include Egon F. Freiheit, political and economic editor from Hamburg; Wolfgang Will, staff editor of the Springer Foreign News Service, based in New York; Kurt Leissler, political editor, and his wife, Ute, a photographer working in Washington.

You will receive a certificate citing your "consistent support of human rights.... especially in East Germany." Editors of the publication voted to extend the annual award to you.

Bild Am Sonntag, said to be the largest Sunday publication on the European continent, claims 10-million readers on official circulation of 2.6-million. It is conservative, pro-U.S., and has a popular format. The parent company, Axel Springer publications, also publishes Bild-Zeitung.

See attached list of questions proposed by Bild Am Sonntag.

*We'll have some suggested
responses for you.
JJP*

QUESTIONS PROPOSED BY BILD AM SONNTAG

1. What do you feel are the results, on balance, of the human rights campaign after nine months?
2. Your human rights initiative has encouraged many. Have you had reactions from the East German people, for example, and if so, what were they? (Note: They have reports of letters from East Germany being sent to the President on the subject).
3. In Communist Germany many declarations of the United Nations Charter and the Helsinki Agreement are judged to be criminal. Can people count on the fact you will continue to condemn human rights violations?
4. Could more be accomplished with increased support from Western European countries, particularly FRG?
5. At the conclusion of the first phase of the Belgrade meeting, do you feel that this conference will help to bring more freedom to the oppressed?

why suddenly we seem to care so intensely about the canal, a subject most of us have never given much thought to until lately. To say that the opposition springs from some vague or naive nostalgia for a simpler past is really to miss the point. There is a grandeur about the Panama Canal and a grandeur of a kind we like to think of as particularly American. The canal is a triumph of an era we remember fondly for its confidence and energy, youth and sense of purpose. The canal is something we made and have looked after these many years; it is "ours" in that sense, which is very different from just ownership.

It works, still. Despite time and change it remains a huge American Success, and this just now, in the aftermath of Vietnam, is of psychological import. (There is a haunting kind of irony to the realization that we went into the jungles of Vietnam to rescue a disastrous French failure, just as once we went into the jungles of Panama to rescue a disastrous French failure.)

Probably it is the aura of power surrounding the canal that has the most to do with our feelings about it. We have known since school days of the tremendous powers called forth to build it -- the power to eradicate disease, the power to literally move mountains. There is its own miraculous power to lift and transport ships from ocean to ocean. It is both the symbol and implement of sea power. So when we talk of the canal, whether we are old, young, for or against the treaties, we are talking about very elemental feelings about our own strengths, and it is this, I think, that makes the thought of giving it up or giving it away so disturbing to many people who fail to see the treaties as a positive step.

Still, by the same token, we want, all of us, a more humane and stable world.

We believe in good will, as well as strength.

We want to be builders no less than did that generation which created the canal.

So for all these reasons it is imperative that the case for the treaties be expressed in the most positive terms, and with eloquence. It is because the canal is of such critical importance, because it must be kept secure and in use, because we revere it as a monument to the human spirit, that the long outmoded Bunau-Varilla treaty has to be replaced and the nature of our presence in Panama brought up to date. Our decision must not be a grudging concession, but a far-seeing, constructive innovation. This, we should be able to say, is something we do because we know it is right. This is not merely the surest way to "SAVE OUR CANAL", it is the strong, positive act of

a still-confident, still-creative, still-purposeful people.

Our sanction of this unprecedented step can become a source of national pride and self-respect in much the way building the canal was. It is the spirit in which we act that is so very important. The way we say yes to the treaties, the words we use, can, on the one hand, influence how we stand in the eyes of all Latin America, but it can also influence how we stand in our own eyes, and that too, I know you will agree, is in the national interest."

I think of what Theodore Roosevelt might say were he alive today. (I have a small bust of him which looks down on me from the top of a file cabinet as I write this.) An ardent reader of history, he knew the world has its moods. He saw history itself as a force and the history of our own time and the changes it has brought would not be lost on him. He adored and drew inspiration from the great deeds of the past and was often saddened by the passing of an era before his eyes -- the vanishing of the great frontier days of the West, for example. But change was inevitable, he knew, and necessary. Change was growth. The true conservative, he once remarked, keeps his face to the future.

He believed down to his boots in a strong Executive, in presidential leadership, and the fact that the treaties reflect the policies and intentions of three prior administrations, in addition to your own, would carry enormous weight with him. It was he who recognized the importance of Captain Mahan's thesis well before anyone else, and so it is hard to picture him dismissing or discounting such testimony to the military value of the treaties as voiced by the Joint Chiefs.

But were he to endorse the treaties, as I am quite sure he would, it would be mainly because he would see the decision as one by which we are demonstrating the kind of power we wish to be. For Roosevelt the canal was a gateway to the very different and uncertain new world of the new twentieth century, a world in which the United States had no choice but to play a major part. "We cannot avoid meeting great issues," he said. "All that we can determine for ourselves is whether we shall meet them well or ill."

Mr. President, the Panama Canal is a vast, heroic expression of that age old desire to bridge the divide and bring people closer together. The task now, it seems to me, is to give the country the conviction that this too is what the treaties are all about.

Sincerely,

A large, stylized handwritten signature in black ink, which appears to be "Dwight D. Eisenhower". The signature is written over the word "Sincerely," and extends across the bottom right of the page.